

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:05cv235**

**COMMERCIAL UNION INSURANCE )  
COMPANY, )**

**Plaintiff, )**

**Vs. )**

**R-ANELL HOUSING GROUP, LLC; )  
and MANUFACTURED BUILDINGS )  
INSURANCE COMPANY, LTD, )**

**Defendants. )**

**ORDER**

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**THIS MATTER** is before the court on the court's own motion for status and the joint Certificate of Initial Attorneys' Conference. In such certificate, the parties announce that the matter has settled and that they anticipate filing a voluntary dismissal within 120 days. While the court appreciates that the parties have settled, no reason is provided as to why 120 days are needed to file a Rule 41(a) voluntary dismissal. Counsel are advised that this court routinely imposes a daily fine for the late filing of the CIAC, and at this point no one has offered an explanation as to why the CIAC is more than 365 days overdue. With those concerns in mind, a hearing will be calendared and counsel are advised to bring their checkbooks.

## **ORDER**

**IT IS, THEREFORE, ORDERED** that this matter is scheduled for hearing at 10:00 a.m. on Thursday, March 8, 2007, in Asheville, where the parties shall show cause why they failed to file a Certificate of Initial Attorneys Conference within the time provided by the Local Rules. Such hearing shall automatically be cancelled upon the filing of a Rule 41(a) stipulation of dismissal (that dismisses all parties and all claims) before the date of such hearing.

Signed: February 2, 2007

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Dennis L. Howell  
United States Magistrate Judge

